

CITY OF LEWISBURG

Municipal Home Rule

Pilot Program – Phase III

APPLICATION

City of Lewisburg Home Rule Application
Phase III

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CITY OF LEWISBURG

National Register Historic District

942 Washington Street, West • Lewisburg, West Virginia 24901
(304) 645-2080 • Fax (304) 645-2194

February 18, 2016

West Virginia Development Office
West Virginia Home Rule Pilot Program
State Capitol Complex
Building 6, Room 553
Charleston, West Virginia 25305-0311

Re: City of Lewisburg Municipal Home Rule Plan

Dear Members of the Home Rule Board:

On behalf of the citizens and elected leaders of the Municipality of Lewisburg, I am submitting eight (8) copies of the Municipality's written plan to participate in Phase III of the Municipal Home Rule Pilot Program. A PDF copy of this written plan will be sent by email to Debbie Browning at the West Virginia Development Office.

Lewisburg is a Class III municipality located in Greenbrier County, West Virginia. The municipality has a total area of 3.75 square miles. Approximately 3.75 square miles are land and 0 square miles of water. The municipality has 3,830 people, 2972 households, and 2405 families residing in the City.

Lewisburg is principally a tourism based economy complemented by a healthy mix of retail, financial services and some small industry. Lewisburg has a vibrant downtown of locally owned shops and restaurants within a clean, well maintained historic district. Lewisburg features a strong performing arts scene with outstanding venues including one of only four Carnegie Hall performing arts halls in the world, Greenbrier Valley Theatre (the State Theatre of West Virginia) and the Lewis Theatre, home to Trillium Dance Collective and a restored movie theater. As the county seat of Greenbrier County, Lewisburg serves as the commercial hub of southeastern West Virginia. Higher education, in the form of the West Virginia School of Osteopathic Medicine and the Greenbrier Campus of New River Community and Technical College, is a strong component to the local economy.

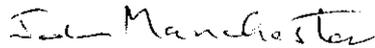
The median income in Lewisburg is \$36,644 (vs. Greenbrier County median income of \$33,944). Lewisburg is a Certified Arts Community and was named the Coolest Small Town in America by Budget Travel Magazine in 2011. There are approximately 500 hotel and motel rooms located within Lewisburg. The City of Lewisburg operates a regional water system serving over 10,000 people. Active local community foundations include the Hollowell Foundation, the Hamilton Family Foundation, and the Greenbrier Valley Community Foundation.

Lewisburg has a commercial airport located 3 miles north of town with two flights daily to Washington D.C. (Dulles).

Lewisburg is also home to a regional visitors center built in 2010 that is located downtown which promotes Greenbrier, Summers, Pocahontas and Monroe Counties. The center houses the Greenbrier County Convention and Visitors Bureau which is Lewisburg's designated CVB. The center is open 362 days a year and welcomes 37,000 visitors per year.

We look forward to participating in Phase III of the Municipal Home Rule Pilot Program. Should the Board have any questions about our written plan or need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "John Manchester".

John Manchester
Mayor

Section I
Application

Municipal Home Rule Pilot Program Phase III Application

SECTION 1: APPLICATION INFORMATION

General Information

Name of Municipality: City of Lewisburg
Certifying Official: John Manchester Title: Mayor
Contact Person: John Manchester Title: Mayor
Address: 942 Washington Street West
City, State, Zip: Lewisburg, West Virginia 24901
Telephone Number: (304) 645-2080 Fax (304) 645-2194
E-Mail Address: jmanchester@lewisburg-wy.com
2010 Census Population: 3830

Municipal Classification

Class I Class II Class III Class IV

Category of Issues to be Addressed (please attaché descriptions for applicable categories)

Tax Organization Administration Personnel

Category of Issues to be Addressed

1. Building and Zoning Administration Enforcement Provisions (Administrative) Permit building and zoning administrators and/or City law enforcement officers to issue “on the spot” citations for external sanitation violations.
2. Sale, Lease or Disposition of Other Municipal Property (Administrative) Authorize the sale of municipal surplus property without being required to advertise surplus property as a Class II legal advertisement or be sold at a public auction using an auctioneer.

Section II
Narratives

I. Building and Zoning Administration Enforcement Provisions. (Administrative)

Background

Currently, there is no authority under state law that would permit building and zoning administrators or City law enforcement officers to issue “on the spot” citations for external sanitation violations or common nuisances.

W.Va. Code §8-12-16 mandates certain procedural and notice requirements including a requirement that, “all orders issued by the enforcement agency shall be served in accordance with the law of this state concerning the service of process in civil actions” and a requirement that such orders “be posted in a conspicuous place on the premises affected by the complaint or order....” Further, W.Va. Code §8-12-16(d) currently mandates that “no ordinance shall be adopted without providing therein for the right to apply to the circuit court for a temporary injunction restraining the enforcement agency pending final disposition of the cause.”

Rationale for Request

Currently, building and zoning administrators issue citations only after application for approval by the Municipal Court. The process of successfully prosecuting a building or zoning violation may take a month or more, and fosters recidivism from violators who will correct violations to get a case dismissed, then re-offend, knowing the prosecution clock will start anew. It is proposed that building and zoning administrators and/or City law enforcement officers be given power to issue citations for reoccurring exterior sanitation/common nuisance violations (including, but not limited to, trash/rubbish, overgrown weeds/grass, junked or otherwise unlawfully situated motor vehicles, maintenance of vacant structures, broken windows or glass, failure to maintain sidewalks and driveways) at the site of the violation and at the time the violation is recognized, similar to the manner in which traffic citations are issued.

Financial Impact

The City in the past has used its own workforce to mow overgrown properties neglected by property owners who have either abandoned their property or ignored notices by the City to

clean up the property. Though we have incurred this cost, the additional cost required to try to collect through the court system often makes it not cost effective to pursue collection. Cleaning up neglected properties takes manpower away from other, more pressing projects.

Over the last several years the City has contracted with a local lawn company to mow some of the larger neglected properties such as foreclosures. Even though this has alleviated the pressure on staff to mow these properties, it has put a financial hardship on the City's budget for additional funding of unnecessary costs for mowing expenses.

For example in 2011 the City spent \$1,080 on one foreclosed property because the bank refused to maintain the property even after being notified numerous times that it was in need of being mowed. The City did remit billing to the bank in question without any success in collecting any money for this service. Because this property was located in a very prominent neighborhood within the City, the City could not refuse to mow or maintain the property.

Another area the City has incurred cost is dilapidated buildings. Over the last several years the City has demolished two structures in residential neighborhoods in close proximity to the downtown area because they had been neglected. Each of these properties cost the City approximately \$10,000 to have demolished and cleaned up. This is an expense that possibly could have been avoided if the City could have been proactive and issued on the spot citations to property owners before the property became in such disrepair.

A building maintenance code provision like this has proven successful in the Home Rule cities of Charleston and Huntington. We request similar authority for our City.

2. Sale, Lease or Disposition of Other Municipal Property (Administrative)

Rationale for Request

The City of Lewisburg requests that it be granted the authority to sell surplus property on an online auction site in lieu of advertising using a Class II legal advertisement or holding a public auction.

West Virginia State Codes in §8-12-18. Sale, lease or disposition of other municipal property. (b) In all other cases involving a sale, any municipality is hereby empowered and authorized to sell any of its real or personal property or any interest therein or any part thereof for a fair and adequate consideration, the property to be sold at public auction at a place designated by the governing body, but before making any sale, notice of the time, terms and place of sale, together with a brief description of the property to be sold, shall be published as a Class II legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code and the publication area for the publication shall be the municipality. The requirements of notice and public auction shall not apply to the sale of any one item or piece of property of less value than one thousand dollars and under no circumstances shall the provisions of this section be construed as being applicable to any transaction involving the trading in of municipality owned property on the purchase of new or other property for the municipality and every municipality shall have plenary power and authority to enter into and consummate any trade-in transaction.

Financial Impact

The City of Lewisburg proposes to adopt an ordinance allowing the City to sell our surplus property on an online auction site or through sealed bids after properly advertising in a local newspaper, instead of having to advertise and conduct a public auction. Either of these types of sale will save the City the cost of having to advertise the surplus property and the cost of hiring an auctioneer as the online auction sites do not charge to advertise your items on their site.

Other states such as Illinois allow their townships to advertise their surplus property in this manner.

This will save the City advertising cost of \$150 to \$200 per occurrence and the cost to hire an auctioneer (between 10% and 20% of the value of items sold).

Section III
Affidavits

Section III
A. Hearing Mandate Verification



CITY OF LEWISBURG

National Register Historic District

942 Washington Street, West • Lewisburg, West Virginia 24901
(304) 645-2080 • Fax (304) 645-2194

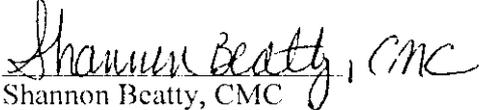
Hearing Mandate Verification

City of Lewisburg
Office of the Recorder
942 Washington St. West
Lewisburg, WV 24901

I, the undersigned Recorder of Lewisburg, West Virginia, do hereby certify that on February 16, at 7:45 p.m. a Public Hearing was held on the City's proposed written home rule plan in conformity with the requirements of W. Va. Code §8-1-5a (2013).

Attached are true, correct and complete copies of page one of the Lewisburg City Council Agenda, evidencing the Public Hearing and the signature of citizens who spoke either in favor of or against the written plan and its submission to the Municipal Home Rule Board pursuant to Ordinance No. 256.

Witness the signature of the undersigned Recorder of the City of Lewisburg, West Virginia, and the seal of the City, this 17 day of February, 2016.


Shannon Beatty, CMC
Recorder



CITY OF LEWISBURG
National Register Historic District
 942 Washington Street, West • Lewisburg, West Virginia 24901
 (304) 645-2080 • Fax (304) 645-2194

PUBLIC HEARING

February 16, 2016

The purpose of this public hearing is to receive comments regarding this City's written plan to participate in the Phase III of the Municipal Home Rule Pilot Program and Ordinance No. 256 which authorizes the Mayor to submit the written plan to the Municipal Home Rule Board.

In favor of:

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

Opposed to:

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

*no one spoke at the public hearing
 neither for or against.*

*Shannon Beatty, MC
 Recorder*

Section III
B. Publication of Mandate Verification

WV DAILY NEWS & VALLEY RANGER

200 South Court Street
 P.O. Box 471
 Lewisburg, WV 24901-0471

INVOICE

Invoice Number: 44411
 Invoice Date: Jan 6, 2016
 Page: 1

Voice: 304-645-1206
 Fax: 304-645-7104

Bill To:

CITY OF LEWISBURG-LEGAL
 942 WASHINGTON STREET
 LEWISBURG, WV 24901

Ship to:

CITY OF LEWISBURG-LEGAL
 942 WASHINGTON STREET
 LEWISBURG, WV 24901

Customer ID		Customer PO		Payment Terms	
601				Net 30th of Next Month	
Sales Rep ID		Shipping Method		Ship Date	Due Date
		Airborne			2/29/16
Quantity	Item	Description	Unit Price	Amount	
3.00	DNL	DAILY NEWS LEGAL--HEARING HOME RULE PROGRAM--DEC 30 2015	5.25	15.75	
2.25	DNL	75% OF 1ST AD THAT RAN--JAN 6 2016	5.25	11.81	
Subtotal				27.56	
Sales Tax					
Total Invoice Amount				27.56	
Payment/Credit Applied					
TOTAL				27.56	

Check/Credit Memo No:

6200



The West Virginia Daily News

PO Box 471

Lewisburg, WV 24901

PHONE: (304) 645-1206

AFFIDAVIT OF PUBLICATION

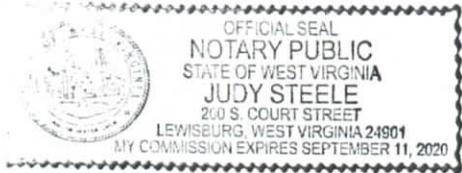
STATE OF WEST VIRGINIA
COUNTY OF GREENBRIER,
TO WIT:

I, Louise Bassett,
one of the editors of The West Virginia
Daily News, a daily newspaper of general
circulation published at Lewisburg, West
Virginia, in the County of Greenbrier,
State of West Virginia, do certify that
publication of the advertisement or
advertisements attached hereto was made
in two (2) issues of said
newspaper, dated
30 Dec. 2015
6 Jan. 2016

Given under my hand this 6th day
of January, 2016
Louise Bassett
Editor or Publisher

Subscribed and sworn to before me this 6th day of January, 2016
My commission expires Sept 11, 2020.
Judy Steele, Notary Public
Publication Fee: \$ _____

NOTICE
Notice is hereby given that a public hearing will be held on Tuesday, February 16, 2016, at 7:30 PM in the Paul R. Cooley Council Chamber at Lewisburg City Hall, 942 Washington Street, West on the proposed City of Lewisburg Municipal Home Rule Pilot Program, written plan pursuant to West Virginia Code §8-1-5a. Interested parties may appear at the public hearing and be heard with respect to the proposed written plan. A copy of the proposed written plan may be inspected in the recorder's office beginning, December 30, 2014, between the hours of 8:30 AM and 4:30 PM daily, Monday through Friday, and the Greenbrier County Public Library during normal operating hours.
(30de.6ja)



Mountain Media, LLC

P.O. Box 429

Lewisburg, WV 24901

(304)647-5724

Invoice

DATE	INVOICE #
1/9/2016	2016-43776

BILL TO

City of Lewisburg
 942 Washington Street, West
 Lewisburg, WV 24901

P.O. NO.	TERMS	PROJECT
----------	-------	---------

Net 20

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Legal Advertising in Mountain Messenger Subsequent run at 75% of First Run Thank You	12.94	12.94

FEIN 26-0028834
 Notice of Public Hearing
 150 words set solid @.115 per word



	Total	\$12.94
--	--------------	----------------

Mountain Messenger Media publishes the Mountain Messenger, Appalachian Journal, Body Mind & Spirit, Real Estate Review, mountainmessenger.com and numerous Specialty Publications

Mountain Media, LLC

P.O. Box 429
Lewisburg, WV 24901
(304)647-5724

Invoice

DATE	INVOICE #
1/2/2016	2016-43775

BILL TO

City of Lewisburg
942 Washington Street, West
Lewisburg, WV 24901

P.O. NO.	TERMS	PROJECT
	Net 20	

Net 20

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Legal Advertising in the Mountain Messenger Thank You	17.25	17.25

FEIN 26-0028834
Notice of Public Hearing
150 words set solid @.115 per word

	Total	\$17.25
--	--------------	----------------

Mountain Messenger Media publishes the Mountain Messenger, Appalachian Journal,
Body Mind & Spirit, Real Estate Review, mountainmessenger.com and numerous Specialty Publications

MOUNTAIN MEDIA, LLC

Post Office Box 429, Lewisburg, WV 24901
304-647-5724

CERTIFICATE OF PUBLICATION

STATE OF WEST VIRGINIA
COUNTY OF GREENBRIER, SS:

I, **Brandy Wykle**, one of the Editors or Agents of *Mountain Messenger*, a weekly newspaper of general circulation published in the County of Greenbrier, State of West Virginia, do certify that publication of the advertisement or advertisements **Notice of Public Hearing** attached hereto was made in **2 issue(s)** of the newspaper, dated **January 2nd, 2016 and January 9th 2016**.

Given under my hand this **13th** day of **January, 2016**

Brandy Wykle
Editor or Publisher

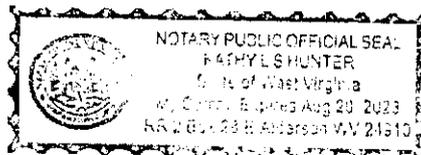
\$30.19
Publication fee

Subscribed and Sworn to before me

This 13 day of January, 2016

My commission expires: August 20, 2023

Signature Kathy S Hunter
Notary Public



HELP WANTED: Day time waitress needed. Part-time flexible hours. some experience necessary. Call 304-647-4700. 29-31dec

WANTED

WORK WANTED: Experienced Caregiver for elderly. Looking for fulltime/part-time work in Greenbrier County area. Any shift. Call 304-667-9279. dectfx

WORK WANTED: Mother and daughter team will care for your child in their Lewisburg home. Certified in daycare work. References available. Affordable rates. Call 304-661-6179 if no answer leave message. I will return your call ASAP. 24augfx

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(30dc,6ja)

FOR SALE

FOR SALE: Old Kentucky Log Cabin. sound logs. Circa 1803. 859-335-0931. 28dec-1janp

FOR SALE: 3 Male puppies. 1/8 Anatolian. 7/8 Great Pyrenees. Ready to go. \$300 each. Call 304-619-0012 or 304-651-8023. 22-30decc

FOR SALE: Salt rising bread \$6. Cinnamon Rolls 6 for \$15.00 or \$25- dozen. Call Lowell 304-497-2747 or 304-661-0938. Will deliver.

5B - Mountain Messenger - January 2, 2016 - The Weekend Paper For The Greenbrier Valley

BUSINESS

Legal Notice

Notice is hereby given that a Public Hearing will be held on Tuesday, February 16, 2016, at 7:30 p.m. in the Paul R. Cooley Council Chamber at Lewisburg City Hall, 942 Washington Street West, on the proposed City of Lewisburg Municipal Home Rule Pilot Program written plan pursuant to West Virginia Code §8-1-5a. Interested parties may appear at the Public Hearing and be heard with respect to the proposed written plan. A copy of the proposed written plan may be inspected in the Records Office beginning December 30, 2015, between the hours of 8:30 a.m. and 4:30 p.m., daily Monday through Friday and the Greenbrier County Library during normal operating hours.

Free to good home.
 304-520-4062
 Haulmark,
 GVW, regular hinged
 304-763-4094



LEWISBURG CITY COUNCIL MEETING

Tuesday January 12, 2016

At Lewisburg City Hall - 1442 Washington Street West

in the Paul R. Lippay Council Chamber

Regular Session Agenda

Agenda Item 1 through Item 14 are not Rescheduled on 1/12/16

- | | | |
|----|--|---|
| 1 | Mayor's Report | Mayor Martin Miller |
| 2 | Mayor's Report | Mayor Martin Miller |
| 3 | Mayor's Report | Mayor Martin Miller |
| 4 | Mayor's Report | Mayor Martin Miller |
| 5 | Approval of Minutes
- Minutes from December 15, 2015 | Mayor Martin Miller |
| 6 | City Manager's Report to the Mayor
- Preliminary Water Extensions and
- MMA 2016 Final Report
- Lewisburg Farmers Market lease
- Appointment to Parks Commission | |
| 7 | Financials
- Martin Luther King Jr. Day
- Calendar for the Year 2016 | |
| 8 | Ordinances
- Ordinance 255: Parks Usage & Reservation Fees. 1 Reading
- Ordinance 256: Home Rule Application. 1 Reading | |
| 9 | Communications from City Council Members | |
| 10 | Communications from Boards and Commissions | |
| | Historic Landmark Commission
- 2015 Annual Report | Chief Clerk DeWitt |
| | Planning Commission Report
- no meeting was held | Zoning Officer O'Neil |
| | Parks Commission Report
- January 6, 2016 meeting
- Reservation and Park Use application
- Policy and procedures for Park Use | Councilmember Baldwin |
| 11 | Communications from the Police Department
- Report from Chief Stover | Chief of Police Stover |
| 12 | Communications from the Fire Department
- Report from Chief Reininger | Fire Chief Reininger |
| 13 | Communications from Council Committees

Finance Committee
- Report from the January 12, 2016 meeting
- Employee Assistance Program

Public Works Committee
- Report from the January 12, 2016 meeting | Councilmember Flynn

Public Works Director Burtis |
| | Public Safety Committee
- Report from the January 8, 2016 meeting | Councilmember Lutz |
| 14 | Adjournment | |

Martin Miller, Mayor

Michael Miller, Mayor Pro Tem

Michael Miller, Mayor Pro Tem; Michael Miller, Mayor Pro Tem; Michael Miller, Mayor Pro Tem

**LEWISBURG CITY COUNCIL MEETING
Tuesday, February 16, 2016**

At Lewisburg City Hall - 942 Washington Street West
in the Paul R. Conley Council Chamber
Regular Session Agenda -
7:30 pm

- | | | |
|-----|--|---|
| 1. | Call to Order | Mayor Mark Hunter |
| 2. | Invocation | Reverend Betty |
| 3. | Pledge of Allegiance | Council member White |
| 4. | Visitors Records (2 minutes) (in person subject to time availability) | Frankie Fink |
| 5. | Approval of Minutes
--Special Session January 7, 2016
--Special Session January 17, 2016
--Regular Session January 13, 2016
--Special Session February 1, 2016 | Reverend Betty |
| 6. | Communications from the Mayor
--Lewisburg Farmers Market lease | |
| 7. | Proclamations
--Congenital Heart Defect Week 2016 | |
| 8. | Ordinances
--Ordinance 256, Home Rule Application, 2 nd reading and public hearing
--Ordinance 257, renewal of cable franchise agreement, 1 st reading | |
| 9. | Communications from City Council members | |
| 10. | Communications from Boards and Commissions

Planning Commission Report
--Report from the February 4, 2016 meeting
--The French Goat, LLC, Minor Subdivision, 111 South Lafayette Street, Greenbrier County Deed Book 571, Page 647

Parks Commission Report
--Report from the February 2, 2016 meeting | Zoning Officer Smith

Councilmember Baldwin |
| 11. | Communications from the Police Department
--Report from Assistant Chief Taubert
--Annual report | Assistant Chief of Police Taubert |
| 12. | Communications from the Fire Department
--Report from Chief Pennington
--Renewal of mutual aid agreements
--Annual report | Fire Chief Pennington |
| 13. | Communications from Council Committees

<i>Finance Committee</i>
--Report from the February 9, 2016 meeting
--Approval to purchase generator for Station #2
--Health Insurance Renewal
--Ryan Holiday-Job Classification Change (Pay Increase)
--Water Plant Operator in Training or Class I, II or III Operator after July 1, 2016

<i>Public Works Committee</i>
--Report from the February 9, 2016 meeting

<i>Public Safety Committee</i>
No meeting was held | Council member Ethen

Public Works Director Parise

Council member Lutz |
| 14. | Adjournment | |

*Members of City Council
Mayor Mark Hunter, Reverend Stephanie Betty
Council members Josh Baldwin, Heather Beale, Mark Ethen, Joseph Fink, and Beverly White*



CITY OF LEWISBURG

National Register Historic District

942 Washington Street, West • Lewisburg, West Virginia 24901
(304) 645-2080 • Fax (304) 645-2194

State of West Virginia
County of Greenbrier

I, Shannon Beatty, Recorder of the City of Lewisburg, West Virginia, a municipal corporation, do certify that the foregoing is a true and exact copy of an Ordinance duly adopted by the City Council of said city on the 16th day of February, 2016.

Dated this 17 day of February, 2016.


Shannon Beatty, CMC
Recorder

ORDINANCE 256

AN ORDINANCE AUTHORIZING THE MUNICIPALITY OF LEWISBURG TO SUBMIT TO THE MUNICIPAL HOME RULE BOARD AN APPLICATION AND WRITTEN PLAN CONSISTENT WITH THE REQUIREMENTS OF W.Va. CODE §8-1-5a (2013) TO ALLOW THE MUNICIPALITY TO PARTICIPATE IN PHASE III OF THE MUNICIPAL HOME RULE PILOT PROJECT.

Now, therefore, be it ordained by the Council of the Municipality of Lewisburg, West Virginia:

That on behalf of the Municipality of Lewisburg, the Mayor and the Administration of the Municipality are hereby authorized and requested to submit to the Municipal Home Rule Board, in accordance with the requirements of W. Va. Code §8-1-5a (2013) and application guidelines of the Board, the application and written plan and to request the Board to approve the application and written plan thereby allowing the City to participate in Phase III of the Municipal Home Rule Pilot Program and to do all things reasonably necessary to obtain approval by the Board of the City's application and written plan.

Be it further ordained by the City Council of the City of Lewisburg that this Ordinance shall take effect after passage.

1st Reading: January 12, 2016

2nd Reading: February 16, 2016

THE CITY OF LEWISBURG
WEST VIRGINIA, a municipal corporation

By: John Manchester
John Manchester
Mayor

I, the undersigned Recorder of the City of Lewisburg, State of West Virginia, do hereby certify that the foregoing enactment of an ordinance was duly passed and adopted by the City Council of the City of Lewisburg, and that the proposed ordinance was read by title with at least one (1) week intervening between each meeting, the publication requirements have been met, and that the Ordinance is now in full force and effect.

Attest:

Shannon Beatty, CMC
Shannon Beatty, CMC
City Recorder

December 22, 2015

Patsy Trecoast, Chairman
West Virginia Municipal Home Rule Board
c/o Debbie Browning
West Virginia Development Office
West Virginia Department of Commerce
Capitol Complex, Building 6, Room 525
Charleston, West Virginia 25305-0311

RE: Application of Lewisburg, West Virginia, to participate in Phase III of
Municipal Home Rule Pilot Program

Dear Chairman Trecoast:

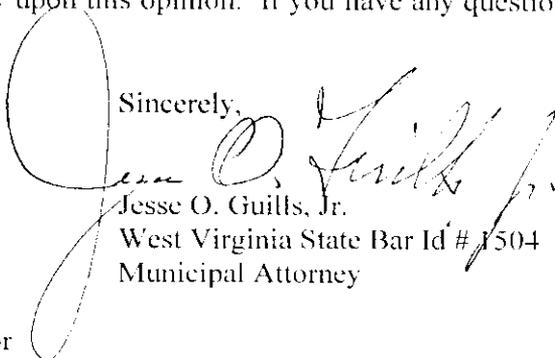
As attorney for the Municipality of Lewisburg, West Virginia, I have reviewed W.Va. Code §8-1-5a (2013), the Application Guidelines for Participation in Phase III of the Municipal Home Rule Pilot Program and the Application of the Municipality to participate in Phase III of the Pilot Program, including all attachments thereto.

Based upon my examination of these documents and my understanding of the Application, it is my opinion that the Application complies with the provision and requirements of W.Va. Code §8-1-5a.

The Application does not include any proposed changes to ordinances, acts, resolutions, rules or regulations that are contrary to the provisions of W.Va. Code §8-1-5a (j) (1) through (7) or prohibited by W.Va. Code §8-1-5(k) (1) through (12).

The Municipal Home Rule Board may rely upon this opinion. If you have any questions, please contact me.

Sincerely,



Jesse O. Guills, Jr.
West Virginia State Bar Id # 1504
Municipal Attorney

JOG/cac

cc: The Honorable John Manchester, Mayor
City of Lewisburg



CITY OF LEWISBURG

National Register Historic District

942 Washington Street, West • Lewisburg, West Virginia 24901
(304) 645-2080 • Fax (304) 645-2194

Affidavit Certifying No Delinquent Fees

In compliance with the requirement of W. Va. Code §8-1-5a(c)(1), I hereby swear or affirm under penalty of law for false swearing (W.Va. Code §61-5-3) that the municipality listed below is current in the payment of all fees to the State of West Virginia.

WITNESS THE FOLLOWING SIGNATURE:

Municipality's Name: Lewisburg, West Virginia

Authorized Signature: Susan Honaker Date: February 18, 2016

Print Name and Title: Susan Honaker, Treasurer

State of West Virginia
County of Greenbrier, to-wit:

Taken, subscribed, and sworn to before me this 18 day of February, 2016

My Commission expires: July 19, 2022

AFFIX NOTARY SEAL HERE:

Shannon Ninnemann

